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			Filin	g Date		July 11, 20	01	
TRANSMITTAL FORM				Named Inver	ntor	Thomas J.	Maginot	
	orrespondence during pe led application)	endency of	Grou	up Art Unit Nu	mber	3738		
		_	Examiner Name		Paul B. Pro	ebilic		
Total Number of Pag	es in This Submission	5*	Atto	rney Docket N	lumber	22220616	57	
	ENCL	OSURES	(ch	eck all tha	t apply	<u>')</u>		
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Attorney/Reg. No.:	Albert C. Smith, Reg.	No. 20,355				Dated:	10/1/0	4
first class mail in an envi If the Express Mail Maili	correspondence, including t elope addressed to: Comming Number is filled in below the to Addressee" service pure	he enclosures issioner for Pat , then this corre	identific tents, Frespond	P.O. Box 1450, A lence is being de	ng deposit Nexandria,	VA 22313-1450	on the date shown t	
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Express Mail Mailing	Number (optional):							7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.:

Thomas J. Maginot

09/903,831

FILING DATE:

Júly 11, 2001

TITLE:

Bypass Grafting Method

EXAMINER:

Paul B. Prebilic

GROUP ART UNIT:

3738

ATTY. DKT. NO.:

22220-06167

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

Dated:

Bv:

Albert C. Smith, Reg. No.: 20,355

MAIL STOP AMENDMENT COMMISSIONER FOR PATENTS P.O. BOX 1450 ALEXANDRIA, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO/SB/08A listing references for consideration by the Examiner.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

	within three months of the filing date of the application, or date of entry into
	the national stage of an international application, or before the mailing date of
	a first office action on the merits, whichever event last occurred;
	before the mailing of a first official action after the filing of a request for
	continued examination (RCE) under 37 CFR § 1.114;
\boxtimes	after three months of the filing date of this national application or the date of
	entry of the national stage in an international application, or after the mailing

date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR §1.113; or (2) an action that otherwise closes prosecution in the application, and: attached hereto is the fee set forth under 37 CFR §1.17(p) for \Box submission of this Information Disclosure Statement under 37 CFR.§ 1.97(c); OR Applicant certifies pursuant to 37 CFR § 1.97(e) that: \boxtimes each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR no item of information contained in this Information \boxtimes Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; on or before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; (2) a notice of allowance under 37 CFR § 1.311; or (3) an action that otherwise closes prosecution in the application, and: \Box Applicant certifies pursuant to 37 CFR. § 1.97(e) that: each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated

				uı	ider 37 Crk § 1.30(c) more than three months prior to the
				fil	ling of this Statement; AND
	,			attached l	hereto is the fee set forth under 37 CFR §1.17(p) for
				submissio	on of this Information Disclosure Statement under 37 CFR.§
				1.97(c); (
		П	after t	• • •	t of the issue fee. Applicant requests that the information
		ب		- •	Information Disclosure Statement be placed in the file
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,					CFR § 1.97(i), although the information may not be
		- 1		dered by the	
					ch listed reference that may be material to the examination of
		this ap	plication	on, and for	which there may be a duty to disclose.
		This a	pplicati	ion relies, v	under 35 U.S.C. § 120, on the earlier filing date of prior
		applica	ation N	lo	, filed on, and the references cited therein are hereby
		referer	iced, bi	ut are not re	equired to be provided in this application under 37 CFR §
	÷	1.98(d).		
		This a	pplicati	ion was file	ed after June 30, 2003. Therefore, pursuant to the waiver of
		the rec	uireme	ents under 3	37 CFR 1.98(a)(2)(i), copies of each U.S. Patent and each
					Publication are not required to be submitted. Copies of any
					s and non-patent literature cited herein are enclosed.
	П				n contained in this Information Disclosure Statement was
	لــا				n from a foreign patent office in a counterpart application,
					was not received by any individual designated in 37 CFR §
		•		·	days prior to the filing of this Information Disclosure
				7 CFR § 1.	
	\boxtimes				o fee is required for the consideration of this Information
				atement.	
	Consi	deration	of the	listed refer	ences and favorable action are solicited.
					Respectfully submitted,
					THOMAS J. MAGINOT
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Dated:	-	_10	110	J T	By: Smith Pag No : 20 255
	•				Albert C. Smith, Reg. No.: 20,355 Fenwick & West LLP
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THE THINK	Substitute for fo	rm 1449A/	PTO		Complete if Known	
INFO		DISC	LOSURE	Application No.	109/903,831	
				Filing Date	July 11, 2001	
-SIAI		TAP	PLICANT	First Named Inventor	Thomas J. Maginot	
				Art Unit	3738	_
				Examiner Name	Paul B. Prebilic	
Sheet	1	of	1	Attorney Docket Number	22220-06167	

U.S. PATENT DOCUMENTS					
		Document No.			
Examiner Initials*	Cite No.1	Number – Kind Code ² (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	
		US-4,983,165	01-1991	Loiterman, David A.	
		US-5,360,443	11-1994	Barone et al.	
		US-			

FOREIGN PATENT DOCUMENTS							
		Foreign Patent Document					
Examiner Initials*	Cite No.1	Country Code ³ – Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	т⁵		

	OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ⁶			
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Examiner Signature	Date Considered		
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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.

Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.